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7
8 IN THE UNITED STATES DISTRICT COURT FOR THE
9
EASTERN DISTRICT OF CALIFORNIA

10 TONY SILVA,) 1:05-cv-0222 REC LJO
11)
12 Plaintiff,) STIPULATION AND ORDER
13) TO EXTEND TIME
14)
15 JO ANNE B. BARNHART,)
Commissioner of Social)
Security,)
16)
Defendant.)
17)

18 The parties, through their respective counsel, stipulate
19 that defendant's time to respond to plaintiff's opening brief be
20 extended from October 31, 2005 to November 30, 2005.

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This is defendant's first request for an extension of time to respond to plaintiff's opening brief. Defendant needs the additional time to further review the file and prepare a response in this matter.

Respectfully submitted,

Dated: October 27, 2005

/s/ Gina M. Fazio
(as authorized via facsimile)
/s/ GINA M. FAZIO
Attorney for Plaintiff

Dated: October 28, 2005

McGREGOR W. SCOTT
United States Attorney

/s/ Kristi C. Kapetan
KRISTI C. KAPETAN
Assistant U.S. Attorney

IT IS SO ORDERED.

Dated: October 28, 2005
66h44d

/s/ **Lawrence J. O'Neill**
UNITED STATES MAGISTRATE JUDGE